

**TOLER SCHAFFER LLP**  
8500 Bluffstone Cove, Suite A201  
Austin, Texas 78759  
Phone 512-327-5515  
Fax 512-327-5575

RECEIVED  
CENTRAL FAX CENTER  
OCT 09 2007

## FACSIMILE COVER SHEET

**DATE:** October 8, 2007

**TO:** Examiner YUEN, Kan                    **FAX NO.:** 571-273-8300  
USPTO GPAU 2616

**FROM:** Jeffrey G. Toler  
Reg. No.: 38,342

**RE U.S. App. No.:** 10/764,816, filed January 26, 2004

**Applicant(s):** Xidong Wu, et al.

**Atty Dkt No.:** 1033-NW1000

**Title:** METHOD OF SELECTING A PROFILE OF A DIGITAL  
SUBSCRIBER LINE

**NO. OF PAGES (including Cover Sheet):** 15

### MESSAGE:

Attached please find:

- Transmittal Form (1 pg)
- Response to Non-Final Office Action (13 pgs)

8500 Bluffstone Cove  
Suite A201  
AUSTIN, TEXAS 78759

Tel: (512) 327-5515  
Fax: (512) 327-5575

### CONFIDENTIALITY NOTE

The pages accompanying this facsimile transmission contain information from the law office of Toler Schaffer L.L.P. and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading, disclosing, copying, distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in error at the number listed above and return the document to us via regular mail.

OCT. 8. 2007 2:15PM TOLER SCHAFFER

RECEIVED  
CENTRAL FAX CENTER

OCT 09 2007

NO. 914 P. 2

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number	10/764,816
Filing Date	January 26, 2004
First Named Inventor	Xidong Wu, et al.
Art Unit	2616
Examiner Name	YUEN, Kan
Attorney Docket Number	1033-NW1000

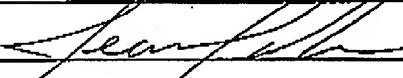
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
Customer No.: 60533		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Toler Schaffer LLP		
Signature			
Printed name	Jeffrey G. Toler		
Date	10-5-2007	Reg. No.	38,342

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Jeanneaux Jordan	Date	10-8-07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTERED  
OCT 09 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Xidong Wu, et al.

Title: METHOD OF SELECTING A PROFILE OF A DIGITAL SUBSCRIBER LINE

App. No.: 10/764,816 Filed: January 26, 2004

Examiner: YUEN, Kan Group Art Unit: 2616

Customer No.: 60533 Confirmation No.: 6883

Atty. Dkt. No.: 1033-NW1000

MS: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

In response to the Non-Final Office Action mailed July 16, 2007, please reconsider the above-identified application in light of the following amendments and remarks:

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on <u>10-8-06</u>	
<u>Jeanneaux Jordan</u> Typed or Printed Name	